

# American Indian Legal Research on the Web

## Introduction

This guide covers the two main sources of Indian law, federal and tribal materials. Federal sources are used when looking up federal laws affecting Indians. These can be federal statutes, regulations, cases, decisions of the Interior Department's Solicitor or administrative decisions. Tribal sources refer to the laws developed by Indian Tribal governments. Some of these may be legislative in nature and are often called ordinances, although some material may be in the form of Council resolutions. Many tribes have appellate courts as well as trial courts; some decisions are available on websites. This guide does not include state law regarding Indians because most of those laws are in the form of easily accessible statutes and case law. There are some international legal norms and treaties involving indigenous people but these will not be included in this guide.

An important point when searching on the web for Indian materials is that a variety of terms, such as "indian," "native American," and "American Indian" are used. In addition many tribal names have historically used different names or the same name spelled in different ways.

## Federal Materials

### General Site

[Indian Law: an Overview](#) Cornell University's Legal Information Institute maintains this topical site on American Indian law. It contains links to federal statutes, important cases and other material.

### Statutes

[25 USC](#) (United States Code 2006 edition, the laws in effect as of January 2, 2001). To search the entire United States code using keywords use [this site](#). The Cornell site listed above also has a [current version](#) of the code.

Print-U.S. Code KF62 year .A2, U.S. Code Annotated KF62.5 .W45, U.S. Code Service KF62.5 .L38

LexisNexis-[25 USCS](#)

Westlaw-[25 USCA 1](#)

Internet- <http://uscode.house.gov/>

### Regulations

[25 CFR](#) (Code of Federal Regulations, as last Revised April 1, 2009) This site is searchable by keyword.

Print-KF70 .A3 date, Current Copy of Title 25 is kept on reserve.

LexisNexis-[25 CFR](#)

Westlaw-[25 CFR 1.2](#)

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[http://www.okcu.edu/law/lib/library\\_researchguides.html](http://www.okcu.edu/law/lib/library_researchguides.html)

Internet- <http://www.gpoaccess.gov/cfr/index.html> ,  
<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=%2Findex.tpl>

### **Administrative Materials**

List of Federally Recognized Tribes There is also a list of designated agents for notice under the Indian Child Welfare Act. A directory of Tribal leaders is available from the Department of Interior.

Bureau of Indian Affairs The site contains many useful links to related sites, particularly those within the Department of the Interior. The site includes the BIA Manual as well as other important information.

Department of the Interior Solicitor's Decisions This Web site includes all of the Department of Interior Solicitor's opinions, not only those relating to Indians.

Opinions of the Solicitor of the Department of the Interior Relating to Indian Affairs 1917-1974 Provided by the Native American Constitution and Law Digitization Project, coordinated by the University of Oklahoma Law Library and the National Indian Law Library, these opinions are searchable by page number, by M-number and by subject.

Print-KF5603.3 .A2

LexisNexis-U.S. Department of Interior Decisions (ALLDOI)

Westlaw-Interior Board of Indian Appeals Decisions

Internet- <http://www.doi.gov/solicitor/opinions.html>

### **Other Department of Interior sites**

The main Department site contains links to other parts of the Department such as the Mineral Management Service. The Department also maintains a site describing its efforts to improve its Indian Trust responsibilities.

The National Park Service provides extensive information about the Native American Graves Protection and Repatriation Act.

### **Other Federal Sites**

Senate Committee on Indian Affairs

House Committee on Natural Resources

Indian Health Service

National Indian Gaming Commission

The Internal Revenue Service provides relevant information for Tribal governments.

Selected volumes of the Indian Claims Commission decisions are available online.

[FirstGov](#) offers government information and resources to Tribes and Tribal members.

## Historical Materials

A digitized reproduction of the [Schedule of Indian Land Sessions in the United States, 1784-1894](#) (United States Serial Set Number 4015), has been prepared by the American Memory Project of the Library of Congress. It is searchable by date, Tribe, and State or Territory. It includes 67 maps, and two tables compiled by Charles C. Royce, with an introductory essay by Cyrus Thomas.

[Indian Affairs: Laws and Treaties, Volume I, II, \(Treaties\), III-VII](#) Compiled and edited by Charles J. Kappler. Prepared by Oklahoma State University Library, this site includes all seven volumes with their indexes. It is searchable by keyword or phrase.

[Handbook of Indian Law, by Felix Cohen, 1941 Edition](#). Prepared by the Thorpe project at the University of Oklahoma, this site includes the summary of the Handbook for laymen prepared by Theodore Haas in 1949. It also includes the extensive materials contained at the end of the text, such as the “Tribal Index of Materials on Indian Law” which lists the statutes and cases involving each Tribe.

[Indian Land Tenure Foundation](#) This site provides links to the General Allotment Act and its amendments as well as links to specific allotment acts.

Print-Handbook of Federal Indian Law KF8205 .C6 2005  
LexisNexis- Handbook of Federal Indian Law (COHEN)

## Tribal Legal Materials

[Tribal Court Clearinghouse](#) Maintained by the Tribal Law and Policy Institute, a public interest non-profit organization, this site provides [constitutions](#), [codes](#), and some [Tribal Court decisions](#). The decisions are in a searchable database provided by VersusLaw. The site also includes articles on Indian law, publications of the Tribal Law and Policy Institute, and links to other sites.

[National Tribal Resource Justice Center](#) Maintained by the National Tribal Justice Resource Center, this site provides [constitutions and codes](#) in searchable databases. [Tribal Court opinions](#) are provided by VersusLaw.

Print-Variou, search the [library catalog](#)  
LexisNexis-Tribal Court Decisions-various, search Find a Source  
Westlaw-Tribal Court Decisions-various, search the Directory  
Internet- <http://www.ntjrc.org/triballaw/opinions.asp>

## National Indian Legal Resources

[The National Indian Law Library](#) A project of the [Native American Rights Fund](#) to create a central Clearinghouse for Indian legal materials, the library provides a number of services. Its [catalog](#) includes many briefs, constitutions, and codes. The site also provides [research links](#), including links to tribal constitutions and codes. Current awareness [bulletins](#) of recent federal cases are updated regularly.

[The Native American Constitution and Law Digitization Project](#) A cooperative effort of the University of Oklahoma Law Center and the National Indian Law Library, The site contains digitized versions of important legal materials and links to other legal sites.

[The National Indian Justice Center](#) An Indian owned non-profit corporation in California, this site contains model codes, lists of training materials, and online articles about Indian legal topics.

## Indian News Sites

[Indianz.com](#) This site is owned by the Winnebago Tribe of Nebraska. The site contains some original news articles; it also summarizes and links to news from other online news sources.

[Pechanga.net](#) A site that collects articles from newspapers and links to them. Although it emphasizes news about Indian gaming, the “Native News” section is often updated more than once a day. There is also an archives that contains a month’s worth of content.

[Indian Country Today](#) An online and print weekly newspaper owned by the Oneida Nation of New York, the online version is searchable.

[Native American Resources](#) Maintained by Oklahoma State University, this site contains links to various tribes and organizations.

## Oklahoma Legal Resources

[Oklahoma Indian Bar Association](#)

[Oklahoma Indian Affairs Commission](#) This site links to sample Tribal-state agreements and Tribes located in Oklahoma.

[Oklahoma Indian Legal Services](#) Their [publications](#) are online through the University of Oklahoma Law Center’s Thorpe Site.

## Indian Trust Issue

Indian Trust: Cobell v. Salazar This site is maintained by the plaintiff in the allottee litigation, it contains all the documents in the case as well as related material.

Intertribal Monitoring Association on Indian Trust Funds An association of Tribal governments, this site contains draft legislation and resources about tribal trust fund issues.

## Specialized Sites

Compilation of State Repatriation, Reburial and Grave Protection Laws Prepared for the U.S. Soil and Conservation Service in 1997, updated by a private corporation and hosted by <http://www.arrowheads.com>, this site contains summaries and citations to state laws dealing with Indian artifacts.

National Indian Gaming Association Library This site contains legislative information, media tools, and facts about Indian gaming. A site maintained by the University of California at Berkeley, specializing in California Indian Gaming, also provides general information on the topic. Socio-economic data about gaming and Tribes has been prepared by Harvard's Project on Indian Economic Development.

Native American Sites prepared by Lisa Mitten, a former librarian and currently an editor for *Choice*, this is one of oldest private sites containing information about American Indians. It includes a page on the sports mascot issue.

The Native Nations Institute at the University of Arizona sponsors events and posts resources on its Web site.

Civil Rights From Thurgood Marshall Law Library, historical publications of the U.S. Commission on Civil Rights arranged by subject. Use drop down box or scroll down the page to "Native Americans."

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